

JAN 18 2013

## A BILL FOR AN ACT

RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. Section 431:10A-116.5, Hawaii Revised Statutes,  
is amended by amending subsection (a) to read as follows:

"(a) All individual and group accident and health or  
sickness insurance policies which provide pregnancy-related  
benefits shall include in addition to any other benefits for  
treating infertility, a one-time only benefit for all outpatient  
expenses arising from in vitro fertilization procedures  
performed on the insured or the insured's dependent spouse;  
provided that:

(1) Benefits under this section shall be provided to the  
same extent as the benefits provided for other  
pregnancy-related benefits;

(2) The patient is the insured or covered dependent of the  
insured;

(3) The patient's oocytes are fertilized with the  
patient's spouse's sperm;

(4) The:



# S.B. NO. 423

(A) Patient and the patient's spouse have a history of infertility of at least five years' duration; or

(B) Infertility is associated with one or more of the following medical conditions:

(i) Endometriosis;

(ii) Exposure in utero to diethylstilbestrol, commonly known as DES;

(iii) Blockage of, or surgical removal of, one or both fallopian tubes (lateral or bilateral salpingectomy); or

(iv) Abnormal male factors contributing to the infertility;

(5) The patient has been unable to attain a successful pregnancy through other applicable infertility treatments for which coverage is available under the insurance contract; and

(6) The in vitro fertilization procedures are performed at medical facilities that conform to the American College of ~~[Obstetric and Gynecology]~~ Obstetricians and Gynecologists guidelines for in vitro fertilization clinics or to the American Society for



Reproductive Medicine minimal standards for programs  
of in vitro fertilization."

SECTION 2. Section 432:1-604, Hawaii Revised Statutes, is  
amended by amending subsection (a) to read as follows:

"(a) All individual and group hospital or medical service  
plan contracts which provide pregnancy-related benefits shall  
include in addition to any other benefits for treating  
infertility, a one-time only benefit for all outpatient expenses  
arising from in vitro fertilization procedures performed on the  
subscriber or member or the subscriber's or member's dependent  
spouse; provided that:

(1) Benefits under this section shall be provided to the  
same extent as the benefits provided for other  
pregnancy-related benefits;

(2) The patient is a subscriber or member or covered  
dependent of the subscriber or member;

(3) The patient's oocytes are fertilized with the  
patient's spouse's sperm;

(4) The:

(A) Patient and the patient's spouse have a history  
of infertility of at least five years' duration;  
or



# S.B. NO. 423

(B) Infertility is associated with one or more of the following medical conditions:

(i) Endometriosis;

(ii) Exposure in utero to diethylstilbestrol, commonly known as DES;

(iii) Blockage of, or surgical removal of, one or both fallopian tubes (lateral or bilateral salpingectomy); or

(iv) Abnormal male factors contributing to the infertility;

(5) The patient has been unable to attain a successful pregnancy through other applicable infertility treatments for which coverage is available under the contract; and

(6) The in vitro fertilization procedures are performed at medical facilities that conform to the American College of ~~[Obstetric and Gynecology]~~ Obstetricians and Gynecologists guidelines for in vitro fertilization clinics or to the American Society for Reproductive Medicine minimal standards for programs of in vitro fertilization."



# S.B. NO. 423

1       SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3       SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY: *Anna Mercedes K.*

**By Request**



# S.B. NO. 423

**Report Title:**

In Vitro Fertilization; Insurance Coverage

**Description:**

Amends references to the "American College of Obstetric and Gynecology" to "American College of Obstetricians and Gynecologists".

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

